

## UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia



Norfolk Division

Larry T. Ferguson

Case No.

2:22cv231

(to be filled in by the Clerk's Office)

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Norfolk State University

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR EMPLOYMENT DISCRIMINATION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Larry T. Ferguson
Street Address	4029 Belvedere Drive
City and County	Chesapeake
State and Zip Code	Virginia 23321
Telephone Number	757-450-1872
E-mail Address	ltf1@mail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination**Defendant No. 1**

Name	Norfolk State University
Job or Title <i>(if known)</i>	
Street Address	700 Park Ave
City and County	Norfolk
State and Zip Code	Virginia
Telephone Number	(757) 823-8600
E-mail Address <i>(if known)</i>	

**Defendant No. 2**

Name	Dr. Denelle Wallace
Job or Title <i>(if known)</i>	Dean, School of Education
Street Address	700 Park Ave
City and County	Norfolk
State and Zip Code	Virginia 23504
Telephone Number	(757) 823-8590
E-mail Address <i>(if known)</i>	dlwallace@nsu.edu

**Defendant No. 3**

Name	Dr. DoVeanna Fulton
Job or Title <i>(if known)</i>	Provost and Vice President for Academic Affairs
Street Address	700 Park Ave
City and County	Norfolk
State and Zip Code	Virginia
Telephone Number	(757) 823-8408
E-mail Address <i>(if known)</i>	dfulton@nsu.edu

**Defendant No. 4**

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**C. Place of Employment**

The address at which I sought employment or was employed by the defendant(s) is

Name	Norfolk State University
Street Address	700 Park Ave
City and County	Norfolk
State and Zip Code	Virginia 23504
Telephone Number	(757) 823-9095

**II. Basis for Jurisdiction**

This action is brought for discrimination in employment pursuant to *(check all that apply)*:

☐ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

☒ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

*(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)*

☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

*(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

☐ Other federal law *(specify the federal law)*:

☐ Relevant state law *(specify, if known)*:

☐ Relevant city or county law *(specify, if known)*:

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

**Attach 5**

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☐ Termination of my employment.
- ☐ Failure to promote me.
- ☒ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: \_\_\_\_\_

*(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)*

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)  
 Unequal terms/conditions of employment and Retaliation: 12/2020, ADA Disability: 4/2021

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C. I believe that defendant(s) *(check one)*:

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☐ race \_\_\_\_\_
- ☐ color \_\_\_\_\_
- ☐ gender/sex \_\_\_\_\_
- ☐ religion \_\_\_\_\_
- ☐ national origin \_\_\_\_\_
- ☒ age *(year of birth)* 1953 *(only when asserting a claim of age discrimination.)*
- ☒ disability or perceived disability *(specify disability)*  
Heart Attack, COPD, Acid Reflux, Tinnitus

E. The facts of my case are as follows. Attach additional pages if needed.

I am a Disabled, Service Connected, Vietnam Era Veteran!

See Attach 1 Ferguson Charge of Discrimination: I supported a white female who was being excluded in the Department of Secondary Education in the School of Education. A black male and black female colleague made it difficult for her to perform her duties. The Dean suggested I retire because of my age. I said no. To force me into retirement, the Dean recommended I be removed as Department Chair (With Out Cause) 12/11/2020 (Christmas Break.)

See Attach 2 Ferguson + COD ADA: I was forced to work Summer and Fall 2020.

*(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)*

#### IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

Charge Of Discrimination 437-2021-00360 2-1-2021  
Charge Of Discrimination 437-2021-01190 8-2-2021

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 03/03/2022.

*(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)* **Attach 3 and 4**

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☒

60 days or more have elapsed.

☐

less than 60 days have elapsed.

#### V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

1. I am requesting \$300,000 in damages. Pain and suffering for working in a hostile environment for 3+ years. Pain and suffering from being removed as Department Chair 1 day before Christmas break. Pain and suffering for denial of teleworking for Summer and Fall 2021. I was afraid I would contract Covid 19 during Summer 2021. I was terrified to work Fall 2021 due to underlying conditions (Heart Attack and COPD).

2. I am requesting \$300,000 for retiring early. Retaliation is ongoing via work environment and responsibilities. Personal bias/lack of support for promotion to Professor. Adding additional responsibilities to my workload leads me to a place where I must retire for my health and well being. I wanted to work 3 more years.

## VI. Certification and Closing

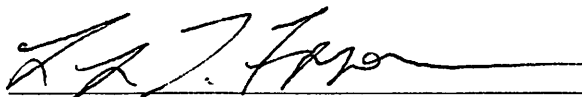
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 05/30/2022

Signature of Plaintiff



Printed Name of Plaintiff

Larry T. Ferguson

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk DIVISION

Larry T. Ferguson

Plaintiff(s),

v.

Civil Action Number: 2:22cv231

Norfolk State University

Defendant(s).

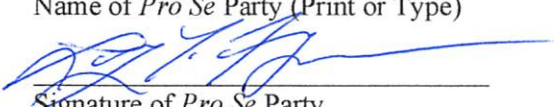
LOCAL RULE 83.1(M) CERTIFICATION

I declare under penalty of perjury that:

No attorney has prepared, or assisted in the preparation of Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination.  
(Title of Document)

Larry T. Ferguson

Name of *Pro Se* Party (Print or Type)

  
Signature of *Pro Se* Party

Executed on: 6/1/2022 (Date)

OR

The following attorney(s) prepared or assisted me in preparation of \_\_\_\_\_.  
(Title of Document)

\_\_\_\_\_  
(Name of Attorney)

\_\_\_\_\_  
(Address of Attorney)

\_\_\_\_\_  
(Telephone Number of Attorney)

Prepared, or assisted in the preparation of, this document

\_\_\_\_\_  
(Name of *Pro Se* Party (Print or Type)

\_\_\_\_\_  
Signature of *Pro Se* Party

Executed on: \_\_\_\_\_ (Date)